Applicant: Michael J. Taylor et al. Attorney's Docket No.: 08411-018002 / ISURF 02556

Serial No.: 09/970,532 Filed: October 3, 2001

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#### <u>REMARKS</u>

Applicants respectfully requests entry of the amendments and remarks submitted herein. Claims 32 and 33 were amended for clarification purposes. Claims 15, 17, and 19 have been canceled and new claims 35-62 have been added. Support for new claims 35-62 can be found throughout the specification and in the originally filed claims. Specifically, support for new claims 35-38 can be found, for example, in the paragraph bridging pages 5 and 6; support for new claims 39-40 can be found, for example, in originally filed claims 31 and 34; support for new claims 41-44 can be found, for example, at page 4, lines 19-23; support for new claims 45-58 can be found, for example, at page 6, line 17 through page 7, line 6, and Figure 1; and support for new claims 59-62 can be found, for example, in Example 5. The claim amendments and the new claims do not introduce new matter.

Claims 29-62 are currently pending. Reconsideration of the pending application is respectfully requested.

### The Specification

The disclosure stands objected to because it contains an embedded hyperlink and/or other form of browser-executable code. The Examiner indicated that under MPEP §608.01, Applicant is required to delete the embedded hyperlink and/or other form of browser-executable code. The Examiner also indicated that the application does not comply with 37 CFR §1.821(d) because there is a sequence in Figure 1 that is not identified by a sequence identifier.

Applicants have amended the specification to remove the embedded hyperlinks. With respect to sequence identifiers, Applicants make reference to the sequence shown in Figure 1 as having been assigned SEQ ID NO:1 at page 5, lines 10-11. To comply with 37 CFR §1.821(d), however, Applicants have amended the Description of the Drawings in the specification to indicate that the sequence shown in Figure 1 corresponds to SEQ ID NO:1. Therefore, Applicants respectfully request that the objection to the specification be withdrawn.

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# The 35 U.S.C. §112 Rejections

Claims 15, 17, and 19 stand rejected under 35 U.S.C. §112, first paragraph, as the Examiner asserted that those claims contain subject matter that was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventors, at the time the application was filed, had possession of the claimed invention.

- - - - Without acquiescing to the Examiner's rejection, Applicants have herein canceled claims \_ \_ \_ 15, 17, and 19. Therefore, Applicants respectfully submit that the rejection of claims 15, 17, and 19 under 35 U.S.C. §112, first paragraph, is moot.

Claims 15, 17, and 19 stand rejected under 35 U.S.C. §112, second paragraph, as the Examiner asserted that those claims are indefinite for failing to particularly point out and distinctly claim the subject matter that Applicants regard as the invention.

Without acquiescing to the Examiner's rejection, Applicants have herein canceled claims 15, 17, and 19. Therefore, Applicants respectfully submit that the rejection of claims 15, 17, and 19 under 35 U.S.C. §112, second paragraph, is moot.

## The 35 U.S.C. §102 Rejections

Claim 19 stands rejected under 35 U.S.C. §102(b) as being anticipated by Wallach et al. (U.S. Patent No. 5, 665, 859).

Without acquiescing to the Examiner's rejection, Applicants have herein canceled claim 19. Therefore, Applicants respectfully submit that the rejection of claim 19 under 35 U.S.C. §102(b) is moot.

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## **CONCLUSION**

Applicants respectfully request that claims 29-62 be allowed. Enclosed is a check for \$252 for excess claim fees. Please apply any other charges or credits to Deposit Account 06-1050.

Respectfully submitted,

Date: January 15, 2004

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